

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi Commission on Environmental Quality Mississippi Department of Environmental Quality		CONTACT PERSON Ted Lampton		TELEPHONE NUMBER 601-961-5573	
ADDRESS P.O. Box 2261		CITY Jackson		STATE MS	ZIP 39225
EMAIL Ted_Lampton@deq.state.ms.us	SUBMIT DATE: 5-2-12	Name or number of rule(s): "Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act", APC-S-6			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The proposed amendments to "Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act", APC-S-6 involve amendments to conform with state law changes specifically "Senate Bill 2812" which removes the maximum amount of annual Title V permit fees that may be assessed to an air emission source subject to Title V. Prior to this state law change, the maximum annual fee that could be assessed to a facility was \$250,000. This amendment does not change the minimum annual fee of \$250, nor does it change the maximum emission rate of each pollutant used in the calculation of fees, which is four thousand (4,000) tons per year per facility

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. §§49-2-9(1)(b) and 49-17-17 (Rev.2003)  
List all rules repealed, amended, or suspended by the proposed rule: APC-S-6

**ORAL PROCEEDING:**

☒ An oral proceeding is scheduled for this rule on: Date: June 5, 2012, Time: 2:00 p.m., Place: Mississippi Department of Environmental Quality, 515 E. Amite St., Jackson, Mississippi 39201

☐ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

**TEMPORARY RULES**

\_\_\_\_ Original filing  
\_\_\_\_ Renewal of effectiveness  
To be in effect in \_\_\_\_ days  
Effective date:  
\_\_\_\_ Immediately upon filing  
\_\_\_\_ Other (specify): \_\_\_\_

**PROPOSED ACTION ON RULES**

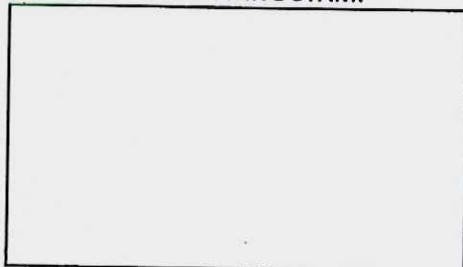
Action proposed:  
\_\_\_\_ New rule(s)  
☒ Amendment to existing rule(s)  
\_\_\_\_ Repeal of existing rule(s)  
\_\_\_\_ Adoption by reference  
Proposed final effective date:  
☒ 30 days after filing  
\_\_\_\_ Other (specify): \_\_\_\_

**FINAL ACTION ON RULES**

Date Proposed Rule Filed:  
Action taken:  
\_\_\_\_ Adopted with no changes in text  
\_\_\_\_ Adopted with changes  
\_\_\_\_ Adopted by reference  
\_\_\_\_ Withdrawn  
\_\_\_\_ Repeal adopted as proposed  
Effective date:  
\_\_\_\_ 30 days after filing  
\_\_\_\_ Other (specify): \_\_\_\_

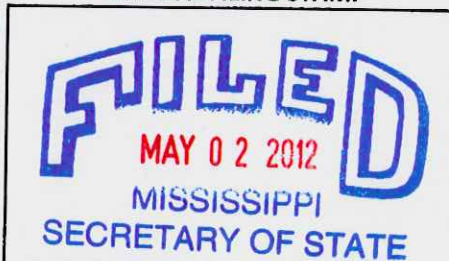
Printed name and Title of person authorized to file rules: Theodore D. Lampton, III, Senior Attorney

Signature of person authorized to file rules: Ted Lampton

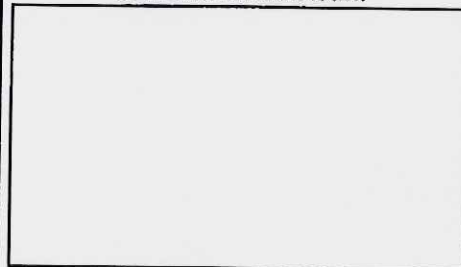
**OFFICIAL FILING STAMP**

Accepted for filing by

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Accepted for filing by CB18751E

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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY  
NOTICE OF PROPOSED RULEMAKING  
NOTICE OF PUBLIC HEARING  
PUBLIC NOTICE START DATE: May 4, 2012

PLEASE TAKE NOTE that the Mississippi Commission on Environmental Quality ("Commission") is considering proposed amendments to state air pollution control regulations. The proposed regulation amendments will be applicable statewide.

I. Substance of the proposed actions:

The proposed amendments to "Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act", APC-S-6 involve amendments to conform with state law changes specifically "Senate Bill 2812" which removes the maximum amount of annual Title V permit fees that may be assessed to an air emission source subject to Title V. Prior to this state law change, the maximum annual fee that could be assessed to a facility was \$250,000. This amendment does not change the minimum annual fee of \$250, nor does it change the maximum emission rate of each pollutant used in the calculation of fees, which is four thousand (4,000) tons per year per facility.

II. Manner By Which the Public May Comment.

Copies of the proposed amendments to the referenced regulations may be obtained by calling Ms. Maya Rao at 601-961-5242 or Ms. Krystal Rudolph at 601-961-5096 or writing to Mississippi Department of Environmental Quality, Air Division, P.O. Box 2261, Jackson, Mississippi 39201. For persons with internet access, a copy of the proposed regulation amendments may be found on the Mississippi Department of Environmental Quality's website at <http://www.deq.state.ms.us> under Programs/Air Quality/New Information. Also, copies of the proposed amendments to the referenced regulations will be available for public review through Tuesday, June 5, 2012, in the main branch of public libraries in the cities of Gulfport, Jackson, and Tupelo in the State of Mississippi. The proposed amendments to the referenced regulations may also be reviewed in the offices of the Mississippi Department of Environmental Quality, 515 E. Amite Street, Jackson, Mississippi. Please contact Ms. Joanne Rials at (601) 961-5171 to schedule an appointment.

Members of the public may present verbal or written comments at the public hearing described below. Also, written statements regarding the proposed regulation amendments will be made part of the public hearing record if delivered by 5:00 p.m., Tuesday, June 5, 2012, to the attention of Ms. Maya Rao at the address shown above.

III. Notice of Public Hearing.

A public hearing to receive comments regarding the proposed regulation amendments will be held on Tuesday, June 5, 2012, at 2:00 p.m. in the Commission Hearing Room (Room 104A) of the Mississippi Department of Environmental Quality Office Building located at 515 E. Amite Street, Jackson, Mississippi 39201.

IV. Additional Information.

For additional information, please contact Ms. Maya Rao at 601-961-5242 or Ms. Krystal Rudolph Simmons at 601-961-5096.